

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 18-1221 JGB (SHKx)**Date **October 25, 2022**Title ***Samuel Love v. Silver Spruce Properties LP, et al.***Present: The Honorable **JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE****MAYNOR GALVEZ**

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: Order to Show Cause (IN CHAMBERS)

On June 7, 2018, Plaintiff filed his Complaint. (“Complaint,” Dkt. No. 1.) On February 17, 2022, the Court ordered Plaintiff to show cause why the Court should exercise supplemental jurisdiction over his Unruh Act claim. (See “OSC,” Dkt. No. 19.) Plaintiff responded on February 23, 2022. (“OSC Response,” Dkt. No. 20.) On October 5, 2022, the Court issued an Order declining supplemental jurisdiction over Plaintiff’s Unruh Act claim and dismissing the claim. (“Order,” Dkt. No. 26.)

Since it was filed on June 7, 2018, there has been little substantive activity in this case. Rule 41(b) of the Federal Rules of Civil Procedure grants the Court authority to *sua sponte* dismiss actions for failure to prosecute or failure to comply with court orders. See Fed. R. Civ. P. 41(b); Wolff v. California, 318 F.R.D. 627, 630 (C.D. Cal. 2016). A plaintiff must prosecute her case with “reasonable diligence” to avoid dismissal pursuant to Rule 41(b). Anderson v. Air W., Inc., 542 F.2d 522, 524 (9th Cir. 1976). Here, it appears that Plaintiff may have failed to prosecute his case with reasonable diligence because the case has been largely dormant for over four years.

Accordingly, the Court orders Plaintiff to show cause in writing no later than **November 7, 2022**, why this action should not be dismissed for failure to prosecute. On or before that date, Plaintiff must also indicate whether he intends to proceed with this action in federal court despite the dismissal of his Unruh Act claim or whether he will voluntarily dismiss the case.

IT IS SO ORDERED.